IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

PEARL E. DAVIS, THOMAS GLENN § DAVIS, and JANICE L. SCOLES, § § § Plaintiffs, § § § § Case No. 2:19-cv-00364-JRG-RSP v. HILTON WORLDWIDE HOLDINGS INC., O'REILLY HOSPITALITY § MANAGEMENT LLC, and KONE INC., § § Defendants.

ORDER

Defendant KONE, Inc. ("KONE") previously filed a Motion to Dismiss Defendant O'Reilly Hospitality Management LLC's ("OHM") Cross-Claim and Brief in Support ("MTD Cross-Claim") (Dkt. No. 30.) KONE also previously filed a Motion to Dismiss OHM's First Amended Cross-Claim and Brief in Support ("Amended MTD Cross-Claim") (Dkt. No. 58.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 82), recommending a denial without prejudice of KONE's MTD Cross-Claim and Amended MTD Cross-Claim. Noting that no objections have been filed, and because of the reasons set forth in the Report and Recommendation, the Recommendation is hereby **ADOPTED**. It is therefore **ORDERED** that the MTD Cross-Claim (Dkt. No. 30) and Amended MTD Cross-Claim (Dkt. No. 58) are **DENIED**.

So ORDERED and SIGNED this 26th day of March, 2021.

UNITED STATES DISTRICT JUDGE